

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Susan Glenn, Project Manager

Public Notice Date: March 17, 2005 Expiration Date: April 16, 2005

Reference: 200400810

Name: Snohomish County Public Works

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Snohomish County Public Works

2930 Wetmore Avenue Everett, Washington 98028 ATTN: Mr. Crilly Ritz

Telephone: (425) 388-3488, ext. 4586

LOCATION: In York Creek and headwater streams and wetlands at Everett, Washington.

<u>WORK</u>: Fill wetlands and replace three (3) cross culverts and extend one culvert to widen a 1.2 mile section of Beverly Park Road and a 0.2 mile section of 112th Street S.W. The proposal will widen Beverly Park Road from two lanes to five lanes with sidewalks and bicycle lanes. Four extended detention wet ponds with planted wet pools will be constructed to manage the stormwater runoff from the new impervious pavement and existing pavement (currently untreated). The proposal will impact 520 square feet (0.011 acres) of an existing roadside ditched stream. Wetland impacts which include ditch impacts, fill impacts, and stream impacts, buffer impacts total 4.12 acres. Please note that a jurisdictional determination (JD) for roadside ditches dug in uplands has not been finalized and this acreage may vary slightly. A field JD for roadside ditches will be completed and verified prior to permit issuance.

<u>PURPOSE</u>: To improve traffic flow and roadway safety by reducing traffic congestion associated with project area population and employment growth.

<u>MITIGATION</u>: The proposed mitigation includes the creation and restoration of 2.7 acres and 5.8 acres of preservation, and 0.2 acres of wetland enhancement. The U.S. Army Corps of Engineers (Corps) will be evaluating the proposed mitigation plan to determine if it will provide adequate mitigation for project specific impacts. The Final Critical Areas Study titled, 112th Street S.W. (Beverly Park Road) SR 525 to Airport Road Road Improvement Project, dated June 2004 is available for review upon request.

ENDANGERED SPECIES: Snohomish County Public Works (County) is the non-federal lead agency for Endangered Species Act (ESA) coordination. The ESA of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bald eagle (Haliaeetus leucocophalus), threatened, Coastal/Puget Sound bull trout (Salvelinus confluentus), threatened, and Puget Sound Chinook (Oncorhynchus tshawytscha), threatened, have been listed in the state of Washington, and may occur in the proposed project area. The County, as the non-federal lead agency for ESA consultation, consulted with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) as required under Section 7 of the ESA. On August 10, 2004, NMFS determined that the project "may affect, but is not likely to adversely affect Puget

Sound Chinook salmon. On October 15, 2004, the USFWS determined that the project "may affect, but is not likely to adversely affect bald eagles or bull trout. ESA consultation has been completed.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 1.5 acres of EFH for Pacific salmon in the project area. The County, as the non-federal lead agency for a determination regarding EFH, has consulted with NMFS. NMFS determined that the conservation measures that the County included as part of the proposed action to address ESA concerns are also adequate to avoid, minimize or otherwise offset potential adverse effects to designated EFH species. NMFS has determined that the proposed project "will not adversely affect" EFH.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

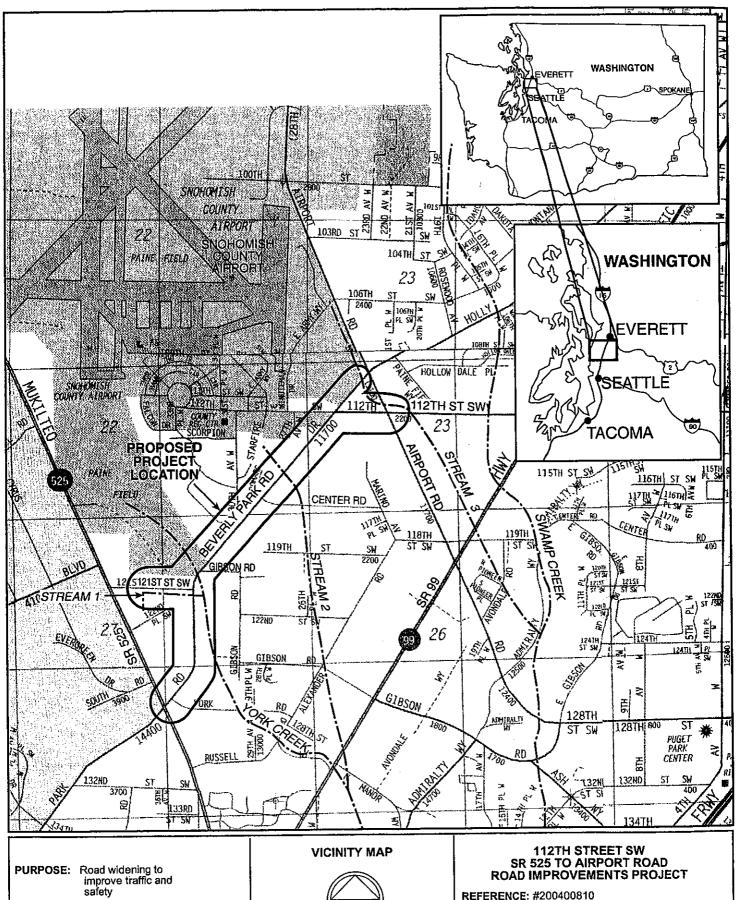
<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is outside of Shoreline Management Act jurisdiction and will not require a Shorelines Substantial Development Permit.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Susan.S.Glenn@usace.army.mil.
Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Snohomish County Public Works, 200400810

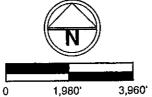
Encl Drawings (15)



DATUM:

VERTICAL: NGVD29 HORIZONTAL: NAD83/91

LATITUDE: N 47° 53' 33" LONGITUDE: W 122° 16' 21"



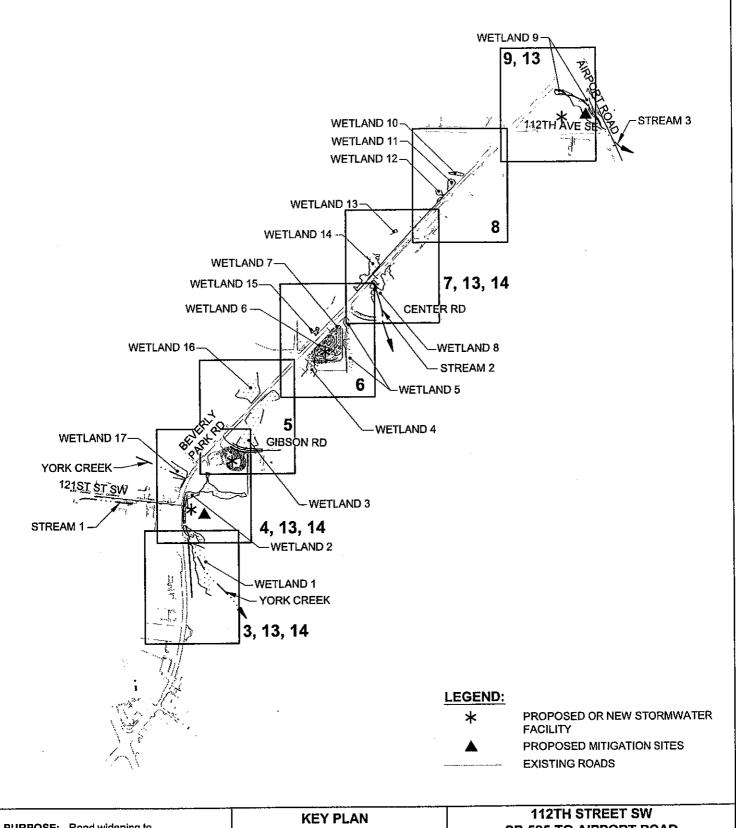
SHEET 1 10F15

IN: Sections 22, 23 & 24, Township 28N, Range 4E WATERWAY: York Creek, 3 tributaries and

unnamed wetlands

COUNTY OF: Snohomish STATE OF: WAS APPLICATION BY: Snohomish County Department of Public Works

JULY 20



PURPOSE: Road widening to

improve traffic and

safety

DATUM: VERTICAL: NGVD29

HORIZONTAL: NAD83/91



0 400' 800' SCALE: 1" = 800'

112TH STREET SW SR 525 TO AIRPORT ROAD ROAD IMPROVEMENTS PROJECT

REFERENCE: #200400810

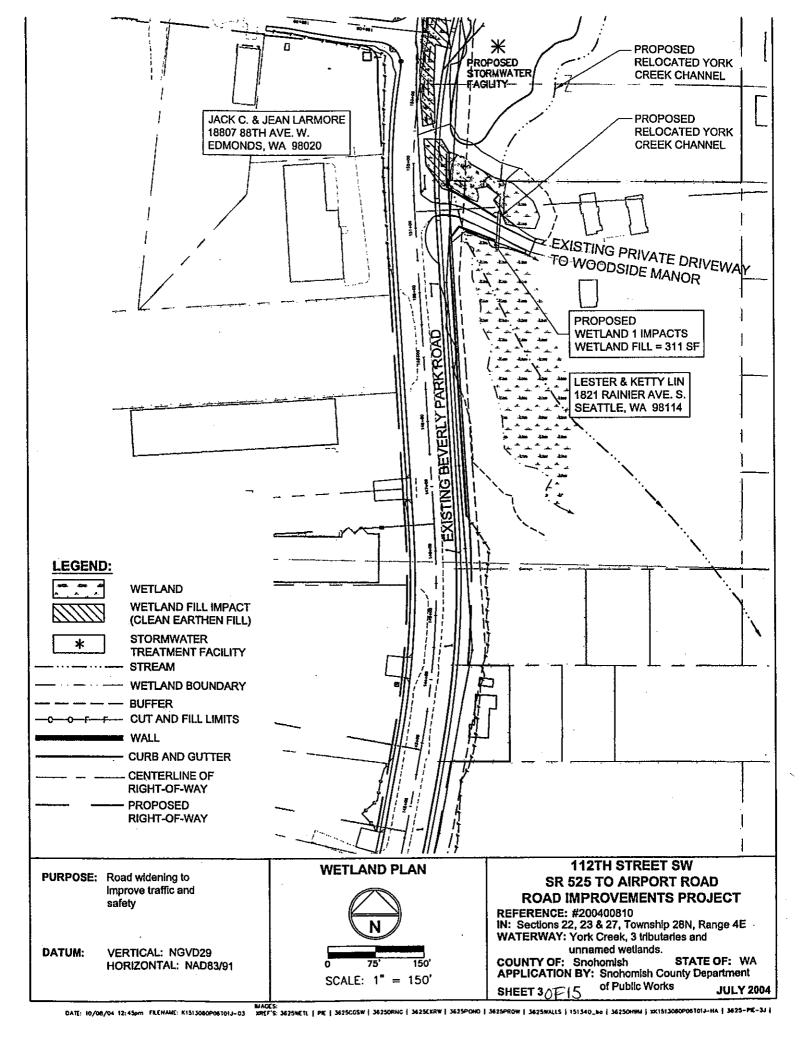
IN: Sections 22, 23 & 27, Township 28N, Range 4E

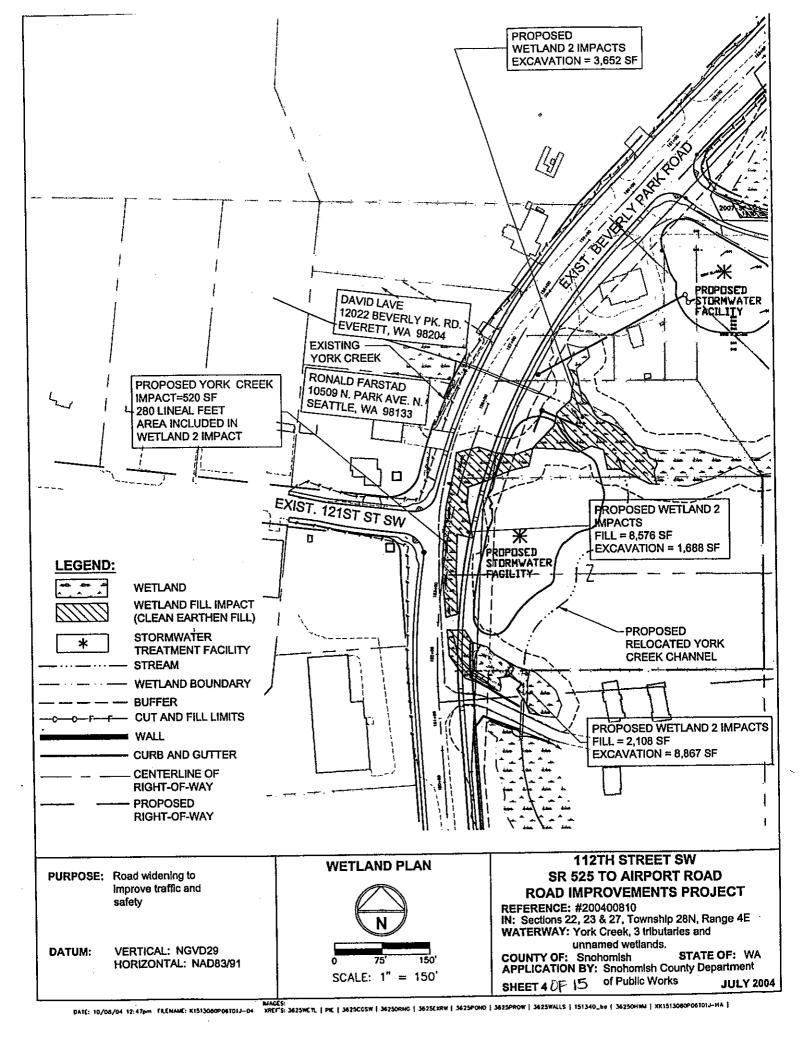
WATERWAY: York Creek, 3 tributaries and

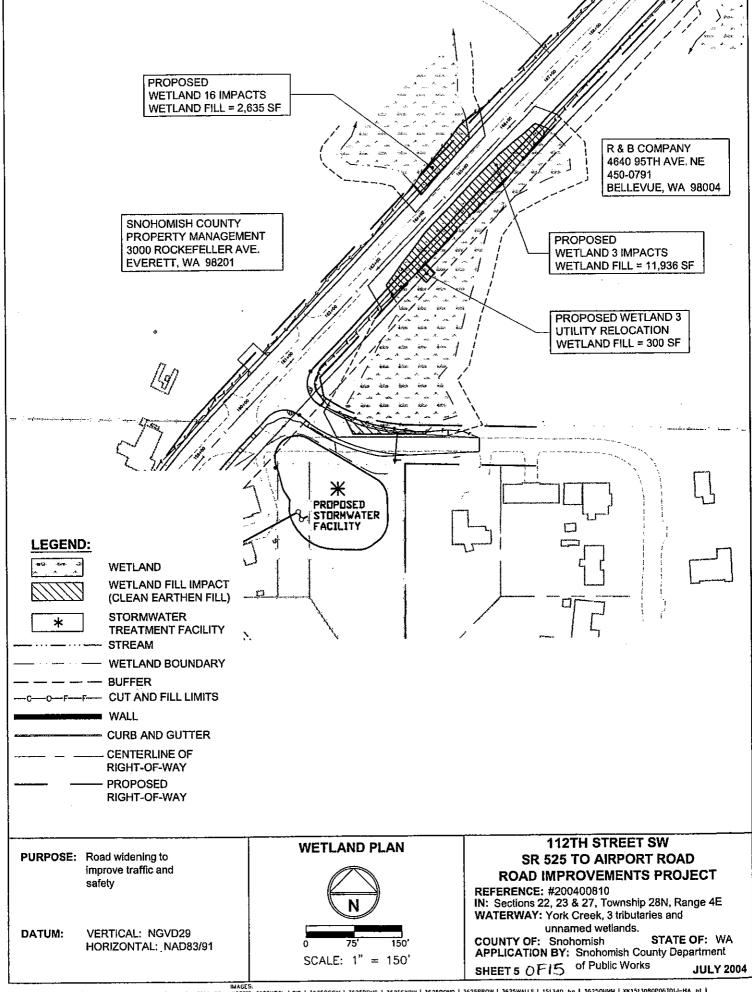
unnamed wetlands.

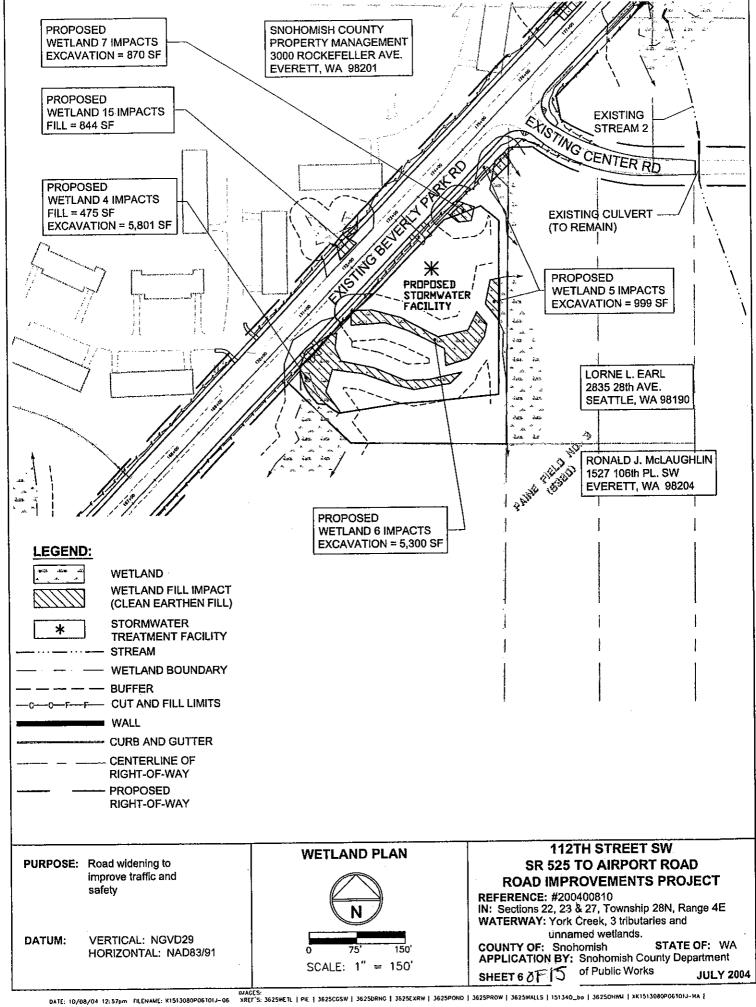
COUNTY OF: Snohomish STATE OF: WA APPLICATION BY: Snohomish County Department

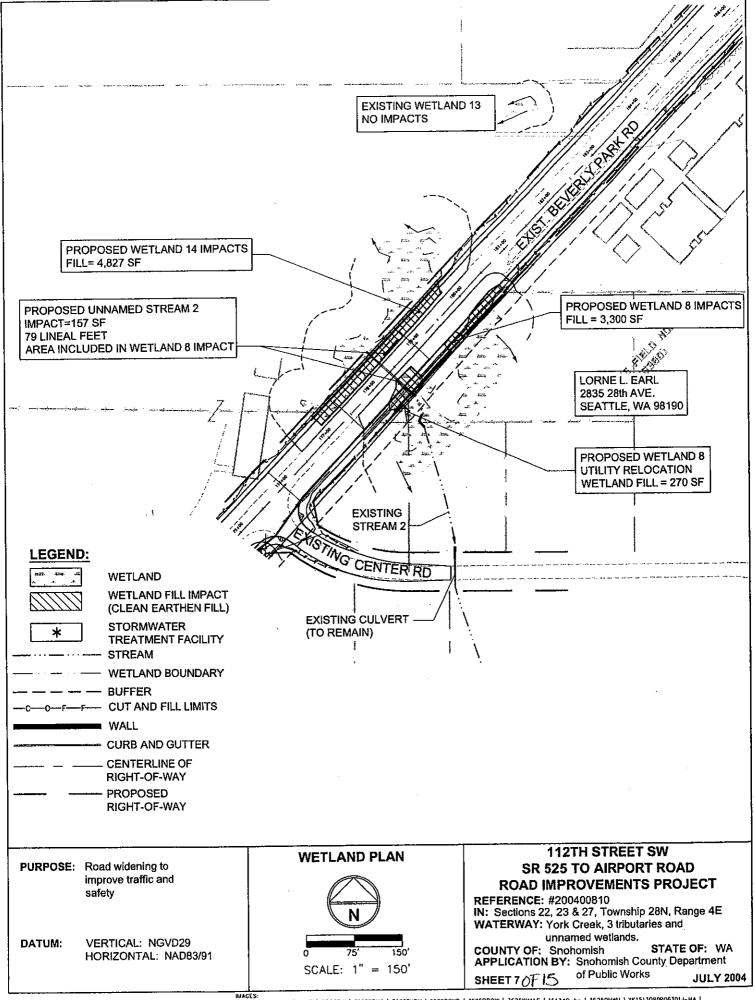
SHEET 20F15 of Public Works

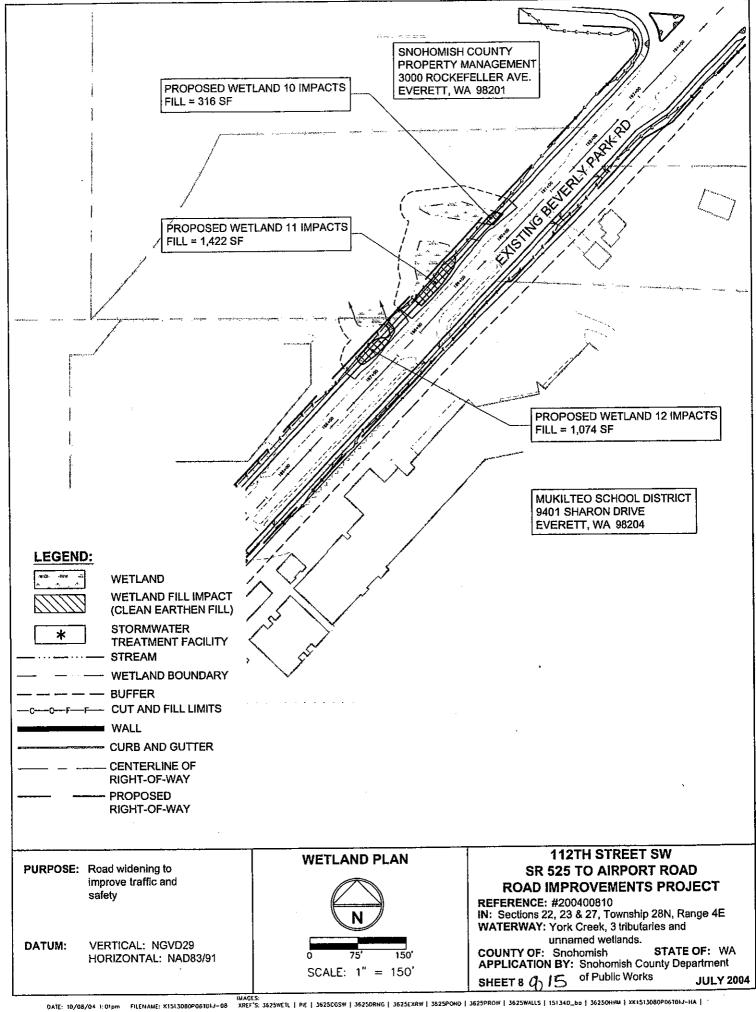


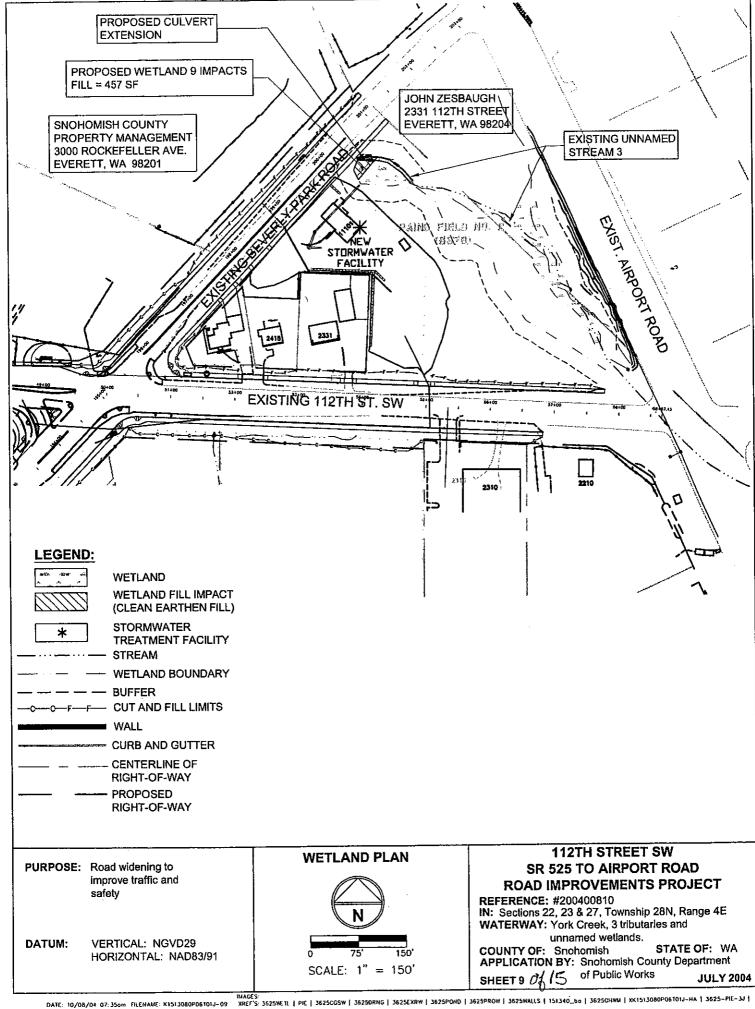












				ROAD	WAY	UTILI	ΤΥ	TOTAL	
	TOTAL	WETLAND RATING	USFWS						
WETLAND	AREA	DOE/	CLASSIFICATION	TOTAL	,	TOTAL		TOTAL	
ID	(ACRE)	SNOHOMISH CO.	(AFFECTED AREA)	IMPACT	FILL	IMPACT	(FILL)	IMPACT	(FILL)
1	~8	11 / 2	FORESTED	311	(311)	-		311	(311)
2	0.4	III / 3	FORESTED	10,975	(2,108)	-		10,975	(2,108)
2	0.2	JII / 3	SHRUB/EMERGENT	10,264	(8,576)	-	İ	10,264	(8,576)
2	0.2	III / 3	FORESTED	3,652		-	1	3,652	
3	1.3	III / 3	SCRUB-SHRUB	11,936	(11,936)	300	(300)	12,236	(12,236)
4	~1.0	III / 3	SCRUB-SHRUB	6,276	(475)	-		6,276	(475)
5	~5.5	111 / 3	FORESTED/SCRUB- SHRUB/EMERGENT	999		•		999	
6	0.1	III / 3	SCRUB-SHRUB	5,300		-		5,300	
7	0.0	III/3	SCRUB-SHRUB	870		-		870	
8	~4	II / 2	FORESTED	3,300	(3,300)	270	(270)	3,570	(3,570)
9	0.2	111/3	EMERGENT	-		•		-	
9	0.1	HI/3	FORESTED	457	(457)	-		457	(457)
10	0.1	111 / 3	EMERGENT	316	(316)	-		316	(316)
11	0.1	III/3	FORESTED	1,422	(1,422)	-		1,422	(1,422)
12	~0.1	III / 3	SCRUB-SHRUB	1,074	(1,074)	-		1,074	(1,074)
13	~6	11 /2	FORESTED/SCRUB- SHRUB/EMERGENT	-		•		-	
14	~6	11 /2	FORESTED/SCRUB- SHRUB/EMERGENT	4,827	(4,827)	_		4,827	(4,827)
15	0.1	III/3	FORESTED	844	(844)	-		844	(844)
16	~0.6	III/3	FORESTED	2,635	(2,635)	-		2,635	(2,635)
17	<1.0	III / 3	SCRUB- SHRUB/EMERGENT	•		-		-	
TOTAL AREAS (SQUARE FEET)			65,458	(38,281)	570	(570)	66,028	(38,851)	
TOTAL AREAS (ACRES)			1.50	(0.88)	0.01	(0.01)	1.51	(0.89)	

BUFFER Imacts TOTAL = 261 acres

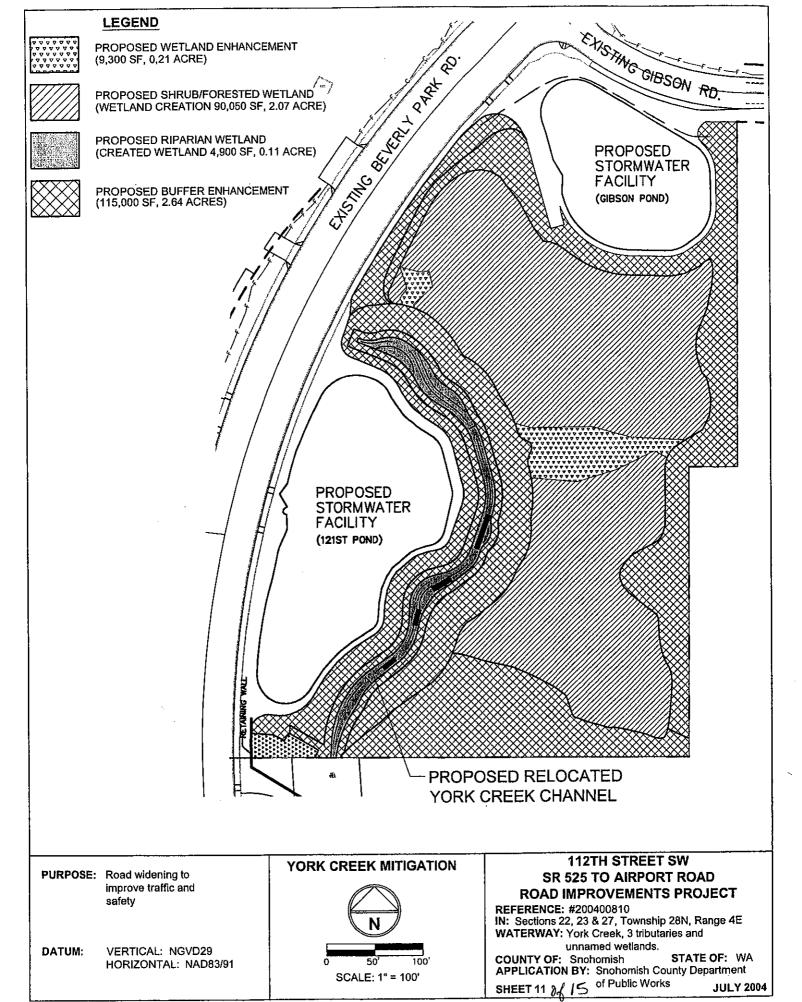
Wetland Imacts TOTAL = 1.51 acres

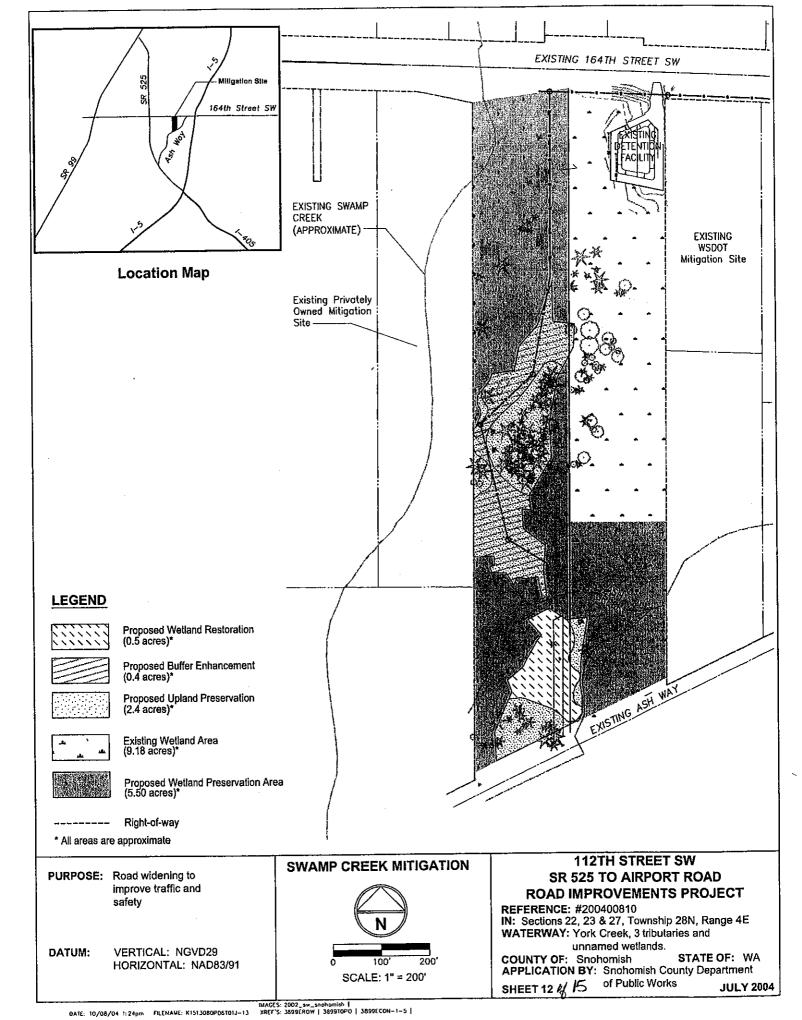
OHCH Stream FWHUCTS TOTAL = 0.011 acres Cinclin wetland

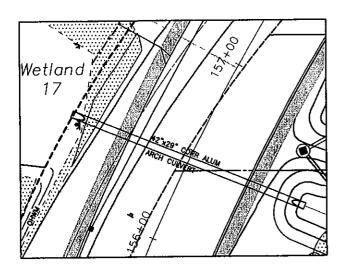
IMPACTS

TOTAL FMACT = 4.12 acres

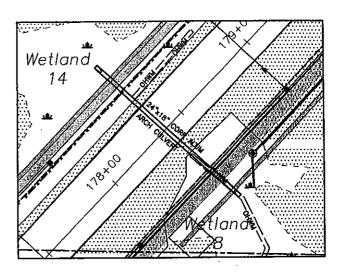
PURPOSE:	Road widening to improve traffic and	SUMMARY OF WETLAND IMPACTS	112TH STREET SW SR 525 TO AIRPORT ROAD ROAD IMPROVEMENTS PROJECT			
DATUM.	safety VERTICAL: NGVD29		REFERENCE: #200400810 IN: Sections 22, 23 & 27, Township 28N, Range 4E WATERWAY: York Creek, 3 tributaries and unnamed wetlands.			
DATUM:	HORIZONTAL: NAD83/91		COUNTY OF: Snohomish STATE OF: WA APPLICATION BY: Snohomish County Department SHEET 10 2/15 of Public Works JULY 2004			



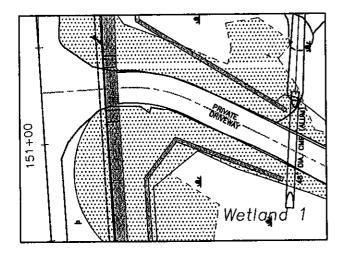




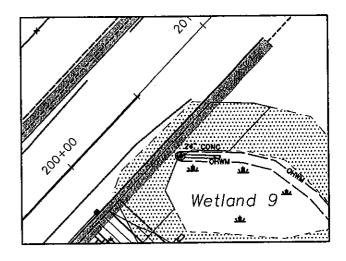
Proposed York Creek Culvert At Beverly Park Road at Station 156+00



Proposed Stream 2 Culvert At Beverly Park Road at Station 178+00



Proposed York Creek Culvert at Woodside Manor at Private Driveway



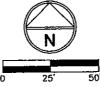
Proposed Stream 3 Culvert At Beverly Park Road at Station 200+00

PURPOSE: Road widening to

improve traffic and

DATUM:

VERTICAL: NGVD29 HORIZONTAL: NAD83/91 **CULVERT PLANS**



SCALE: 1" = 50'

112TH STREET SW **SR 525 TO AIRPORT ROAD ROAD IMPROVEMENTS PROJECT**

REFERENCE: #200400810

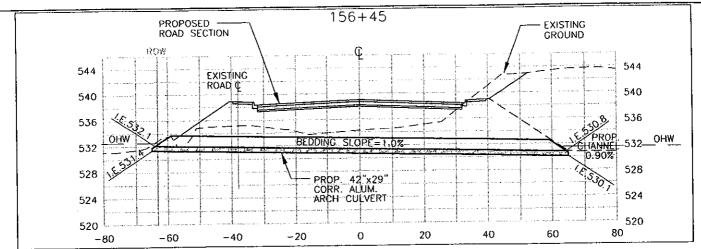
IN: Sections 22, 23 & 27, Township 28N, Range 4E

WATERWAY: York Creek, 3 tributaries and

unnamed wetlands.

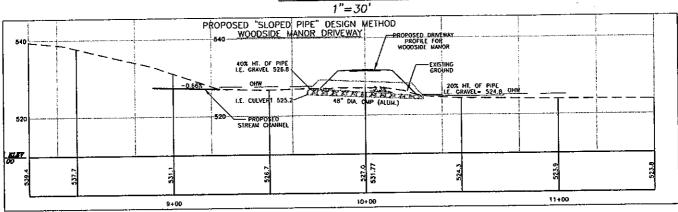
STATE OF: WA COUNTY OF: Snohomish APPLICATION BY: Snohomish County Department

SHEET 13 9 15 of Public Works



Proposed York Creek Culvert

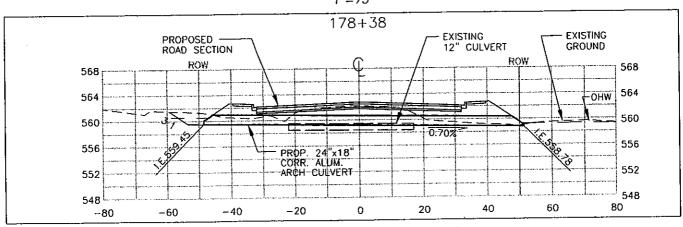
At Beverly Park Road



Proposed York Creek Culvert

at Woodside Manor

1"=75'



Proposed Stream 2 Culvert

At Beverly Park Road $\frac{1''=30'}{}$

PURPOSE: Road widening to improve traffic and

safety

DATUM: VERTICAL

VERTICAL: NGVD29 HORIZONTAL: NAD83/91 **CULVERT PROFILES**

112TH STREET SW SR 525 TO AIRPORT ROAD ROAD IMPROVEMENTS PROJECT

REFERENCE: #200400810

IN: Sections 22, 23 & 27, Township 28N, Range 4E

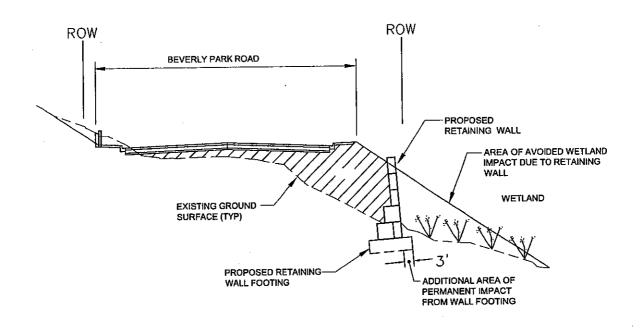
WATERWAY: York Creek, 3 tributaries and

unnamed wetlands.

COUNTY OF: Snohomish STATE OF: WA

APPLICATION BY: Snohomish County Department

SHEET 14 6715 of Public Works



PURPOSE: Road widening to

improve traffic and

safety

DATUM:

VERTICAL: NGVD29 HORIZONTAL: NAD83/91

TYPICAL ROADWAY **SECTION IN WETLAND**

112TH STREET SW **SR 525 TO AIRPORT ROAD ROAD IMPROVEMENTS PROJECT**

REFERENCE: #200400810

IN: Sections 22, 23 & 27, Township 28N, Range 4E

WATERWAY: York Creek, 3 tributaries and

unnamed wetlands.

COUNTY OF: Snohomish STATE OF: WAAPPLICATION BY: Snohomish County Department STATE OF: WA

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STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for Water Quality Certification

Date: March 17, 2005

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200400810 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator Department of Ecology SEA Program Post Office Box 47600 Olympia, Washington 98504-7600